

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>DAVID WHITE, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 07-428-GPM</b>
	)	
<b>PFIZER, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER OF REMAND**

This matter is before the Court on the motion for remand to state court brought by Plaintiffs David White, Shirley Dyke, Kyle Davis, and Donald Olson (Doc. 9). Having reviewed carefully the submissions of the parties regarding subject matter jurisdiction, the Court concludes that Defendants Pfizer, Inc., Pharmacia Corporation, Monsanto Company, and G.D. Searle, LLC, have failed to satisfy their heavy burden to show that Defendant Walgreen Co. has been fraudulently joined to defeat federal diversity jurisdiction. *See Sanders v. Merck & Co.*, Civil No. 07-64-GPM, 2007 WL 924497 (S.D. Ill. Mar. 27, 2007); *Vogel v. Merck & Co.*, 476 F. Supp. 2d 996 (S.D. Ill. 2007); *Smith v. Merck & Co.*, 472 F. Supp. 2d 1096 (S.D. Ill. 2007); *Nicol v. Merck & Co.*, No. 06-926-GPM, 2006 WL 3804887 (S.D. Ill. Dec. 22, 2006); *Mannings v. Merck & Co.*, No. 06-634 GPM, 2006 WL 3366457 (S.D. Ill. Oct. 12, 2006); *Hardaway v. Merck & Co.*, Civil No. 06-465-GPM, 2006 WL 2349965 (S.D. Ill. Aug. 11, 2006); *Brooks v. Merck & Co.*, 443 F. Supp. 2d 994 (S.D. Ill. 2006); *Bavone v. Eli Lilly & Co.*, Civil No. 06-153-GPM, 2006 WL 1096280 (S.D. Ill. Apr. 25, 2006); *Riddle v. Merck & Co.*, Civil No. 06-172-GPM, 2006 WL 1064070 (S.D. Ill. Apr. 21, 2006); *Rutherford v. Merck & Co.*, 428 F. Supp. 2d 842 (S.D. Ill.

2006); *Rabe v. Merck & Co.*, No. Civ. 05-363-GPM, Civ. 05-378-GPM, 2005 WL 2094741 (S.D. Ill. Aug. 25, 2005). Accordingly, Plaintiffs' motion for remand to state court is **GRANTED**. Pursuant to 28 U.S.C. § 1447(c), this action is hereby **REMANDED** to the Circuit Court of the Third Judicial Circuit, Madison County, Illinois, for lack of federal subject matter jurisdiction.

**IT IS SO ORDERED.**

DATED: 7/25/07

s/ *G. Patrick Murphy*  
G. Patrick Murphy  
Chief United States District Judge